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FYKE FARMER'S "I ACCUSE"

By
Louise Harding

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FYKE FARMER ACCUSES TRUMAN

In Masterly Brief

By Louise Harding

[In our last issue we published Fyke Farmer's summation of his brief for conscience and basic law against the crime of aggressive war committed against the people of Korea. He rests his case on the Nuremburg Law which established the precedence and supremacy of international law over national law and which applied to each and every individual within the nation as well as to the nation as a whole.

We are indebted to Louise Harding, who has read the entire brief, for presenting here its salient points with her own keen commentary. May we emphasize to all peace workers the immense importance of the task Mr. Farmer has set out to accomplish. We earnestly hope that the left-wing press (New World Review, National Guardian, Monthly Review and others) may widely publicize his case, so that he may receive the support necessary to force the US courts to say yes or no to his proposition.]

From the ghastly welter of warmongering, intrigue and lies, in which the world now flounders, it is indeed a very great pleasure to turn to the masterly Brief on Appeal written by Fyke Farmer, of Nashville, Tenn., in his momentous court battle against the powers of Monopoly entrenched in Washington. This document contains many startling passages. Omitting many of the great mass of legal citations, but not many facts, it has here been attempted to present a version for more speedy reading.

As very many, both here and abroad, are now aware, Mr. Farmer took a fundamental step—comparable to Martin Luther nailing his thesis to the cathedral door—in refusing to pay the taxes assessed against him by the federal government, unless the far greater portion were subtracted which goes for the crimes of plotting war and preparing for it, now and as regards the past campaign in Korea.

Coming up first in the U.S. district court, middle district of Tennessee, Mr. Farmer, a competent and successful attorney, won the first round, when Judge Davies refused to throw out the case, brought against the Director of Internal Revenue for the District of Tennessee; the judge deciding that the complainant had a right to disclose his evidence. Due to the subsequent death of Judge Davies, another judge, named Miller, took over. In order—as he frankly said—not to "embarrass" Truman and others of influence, and obviously for the purpose of sweeping the whole matter under a judicial rug, Judge Miller decided that he had no jurisdiction (Davies had decided, for the same court, the other way). Argued Miller—for the purpose of giving summary judgment, let us assume, as I will, that everything you say is true and you can prove it; still, *you have no case,* and nothing will be gained by letting you bring proof. Farmer had sought to summon Truman

and take a deposition from him. This effort had been put off with every possible delay on the part of the government; and Miller's decision brought the attempt to a standstill.

"Murder Case"

As to Farmer's repeated references to the Judgment of Nuremberg, against Goering and the rest,—it has no competence, asserted the judge; the facts are entirely different. (And *so they are*—retorted Farmer in his Brief on appeal, *in every murder case!*

As to the war on Korea having been unlawfully undertaken, in defiance of the Constitution, since Congress did not first permit —the revenue collector replied that the facts were unknown to him, hence he could not say yes or no. You can easily find out, Farmer argued, since you are a subordinate of the U.S. attorney general, and he has all the facts. And to the contention of the judge that *he* was not sufficiently informed to make competent judgment, Farmer answered: you are evading your sworn duty, since a judge is not entitled to throw out a case simply because he does not know all the facts before they have been brought out in court.

"Rights of Conscience"

Says the Brief:—

"Plaintiff is conscientiously opposed to participation in the war activities of the government. He relies upon the right of the individual conscience under the fundamental law of the Constitution, and particularly upon the clause of the Declaration of Rights of the Tennesse Constitution providing that:

' . . . no human authority can, in any case whatsoever, control or interfere with rights of conscience.'

"By Art. XI, Sec. 16 of the Tennessee Constitution it is provided:

'The declaration of rights, hereto affixed, is declared to be part of the Constitution of this State, and shall never be violated on any pretense whatever. And to guard against any transgression of the high powers we have delegated, we declare that everything in the Bill of Rights contained is excepted out of the general powers of the government, and shall forever remain inviolate.'

"Tennessee was admitted into the Union with the two sections above quoted in its constitution . . . The right of individual conscience was not *granted* by the Tennessee Constitution; it was *recognized* as a natural right of man . . . "

"Story in his Commentaries on the Constitution:—

"The rights of conscience are indeed, beyond the just reach of human power. They are given by God, and cannot be encroached upon by human authority, without criminal disobedience of the precepts of natural as well as revealed religion."

"Conscientious objection to bearing arms has always been regarded as a right of conscience which the government could not control or interfere with."

"No Man is Above the Law"

The government had maintained that a suit for declaratory judgment with respect to an internal revenue tax could not legally be brought. Answer (with numerous citations):

"When (the government) invoked the judicial power to aid the executive in the collection of the tax, it became competent for appellant to show grounds, legal or equitable, by reason of which he was not liable for the tax."

"(one of) two Supreme Court decisions holding presidential orders in the field of foreign relations invalid (was) Gelston v. Hoyt . . . as follows:

(In this case) there was strikingly reaffirmed the cardinal principle of the Anglo-Saxon system of law, that no man—not even the President of the United States—is above the law.'"

On the Validity of Treaties:

Supreme Court, in Strother v. Lucas—

"*Treaties are the law of the land, and a rule of decision in* all the courts . . . Their stipulations are binding on the United States."

"The rules prescribed by the treaties which appellant claims have been violated are:

(a) The Treaty for the Renunciation of War prohibits war for the solution of international controversies undertaken as an instrument of national policy.

'War for the solution of international controversies undertaken as an instrument of national policy certainly includes a war of aggression, and such a war is therefore outlawed by the pact."

—United States of America v. Hermann Wilhelm Goering.

"By thedefinition of the crime set out in the Nuremberg Charter, it is committed, not only by the initiation and waging of war for the solution of international controversies . . . but also by the acts of *planning and preparing such war.*

"*(note:* On the motion of the United States, the General Assembly of the United Nations on 11 December, 1946, adopted unanimously a resolution . . . affirming the principles of international law recognized by the Charter of the Nuremberg Tribunal . . . In a memorandum prepared by the Secretary General of the United Nations . . . on 21 November, 1947, it is stated:

'All the stages in the bringing about of a criminal war are declared to be crimes, from the planning to the actual waging of the war.'

Warmongering "in the interest of National Security."

"It would be difficult to maintain that military action against the people of an antipodal country, in *their* country, for the "purposes of national security" is a war in self-defense. The Nuremberg Tribunal rejected the defense of the Nazis that their military action against Norway was defensive. United States of Am. v. Hermann Wilhelm Goering et al.

"In the situation in which we find ourselves today—with atom and hydrogen bombs stacked all over Europe, Asia and the isles of the Pacific for security's sake—though the experts in mass destruction methods tell us there is no security—it would seem that a kernel of sense may be found in the words of Chief Justice Marshall in *Fletcher v. Peck* . . . : "It may well be doubted whether the nature of society and government does not prescribe some limits to the legislative power." And if some limit to the legislative power, why not a limit, too, upon the planning, preparation, initiation and waging of war for "national security"? Was this not exactly what the war-crimes trials did?

"The most intensive research would doubtless not reveal a single international war since the era of the Crusades that was not fought by both sides for the object of 'national security' . . . The precise purpose of the Treaty for the Renunciation of War—condemning as it did the adoption of war as an 'instrument of national policy'—was to eliminate this overworked excuse for warfare.

"Is there not a similar indefiniteness in the other clause, "the preservation of essential interests of the United States'? Surely it is not necessary to argue that the preservation of such interests—whatever they may be—does not necessarily connote the concept of providing for the common welfare in the constitutional sense."

Rights and Duties of the Individual.

Citing Hare's American Constitutional Law, Vol. I, pg. 29—

(In the U.S.) "an unconstitutional enactment cannot give rise to a conflict of jurisdiction until it results in an infringement of some public or private right. If such a wrong is committed, the injured party may submit at the time and seek redress afterwards by a suit; or, if the case requires it and he is willing to take the risk, hold his ground, and if need be repel force by force. *In either event, the question is withdrawn from the field of politics and becomes judicial.*" (Judge Miller had claimed that the present case was political.—LH)

"Mr. Justice Jackson, in the Preface to "International Conference on Military Trials," at pg. ix wrote:

"The Charter also enacts the principle that individuals rather than states are responsible for criminal violations of international law . . . It is quite evident that the law of the Charter pierces national sovereignty . . . It would be idle to deny that this concept carries far-reaching implications."

Those who take orders (to commit a crime) are responsible. —Charter Art. 8.

Illegal Military Appropriations.

The Brief calls attention to the fact that the US Constitution does not authorize the Congress to tax our people to *support any armies in foreign countries,* "it being an abuse of the power to raise

armies necessary for the defense of the United States simply to stimulate the economy and avoid a depression by military spending, which is what Congress has been doing ever since the Korean action."

"It is as plain as can be that the disposition of public property and money in carrying on the Korean War, amounting to uncounted billions of dollars, was without the authority of the United States. The fact that members of Congress as individuals knew what was taking place did not constitute lawful authority. Authority is the equivalent of law . . . By Art. I, Sec. 9, cl. 7 of the Constitution, it is provided that "no money shall be drawn from the Treasury, but in consequence of appropriations made by law." . . . Congress has by law provided that no act shall be construed to make an appropriation "unless such act shall in specific terms declare an appropriation to be made or that a contract shall be executed." . . . sums appropriated by law for the various branches of expenditure *shall be applied solely to the objects for which they are respectively made, and for no others.*"

At the end of the fiscal year 1953, "there was an Army overdraft standing on the books of the Treasury in excess of $3-½ billion on account of withdrawals over the period of the three preceding fiscal years, charged to an account called "Army Management Fund." This was not an appropriation account. Congress had made no appropriations for "Army Management Fund."

"Department of Defense financial statements reflect that the amount available for expenditures during fiscal year 1953 is *minus* $217,176,000. Unbelievable as it may appear, expenditures incurred against the minus availability are reported to have been $2,543,181,000, as of April 30, 1953.

Truman did not claim any necessity to *repel an armed attack,* actual or imminent, against the U.S., *hence he had no power* to order the country's forces into war.

URSURPATION by Truman

"While engaged in this violation of the cease fire resolution of June 25, President Truman, twenty-four hours before the adoption of the resolution recommending to members of the United Nations to furnish assistance to the South Korean government, in usurpation of the powers conferred upon him by the Constitution of the United States . . . gave orders committing the United States armed forces to the Korean War. . . The intervention by military force . . . against the government of the North under the circumstances amounted to a violation of the statutes . . . and also amounted to the initiation and waging of a war of aggression as defined by the Nuremberg International Law."

" . . . all of the orders given by President Truman for the initiation and waging of said war were illegal and unconstitutional, and . . . for any individual citizen of the United States to assist in the conduct of such war would amount to complicity in the

commission of a crime against peace within the definition of the Nuremberg law."

" . . . In the conduct of the war, the executive committed acts which were expressly prohibited by the laws—acts which constituted offenses against the laws *punishable criminally*. In other words, President Truman violated the very laws he had taken the oath of office to enforce."

What Truman and Dulles Mean by "Aggression."

"When President Truman and Secretary of State Dulles use the word 'aggression', it is not restricted to its normal meaning. In their meaning 'aggression' must be deemed to include any change in social and political relations in semicolonial and semifeudal lands where change is long overdue. They seek to use American arms to forestall indigenous movements throughout all of Southeast Asia, the Near East, Africa and Latin America aiming at the removal of the conditions of abysmal poverty, economic backwardness, foreign control of vital resources and financial dependence on monopoly capitalism. Western military and naval bases have been foisted upon peoples by bribery, intimidation and diplomatic cunning, to their disadvantage and injury. The whole 'free world' structure rests on this fragile and decaying foundation.

"For the avowed purpose of deterring war, the United States, notwithstanding the fact that the United Nations was created as the center for harmonizing the efforts of the nations to that end, has entered into treaties with 42 governments in America, Europe and Asia, obligating itself under specific conditions to make war. This is the so-called Mutual Defense System. The system is a fraud on the people of the United States. Instead of deterring war, these treaties only multiply the occasions when the United States might be drawn into foreign wars like the civil war in China, and the revolutionary war in Vietnam. Most of these governments can contribute nothing to the defense of the United States."

Dulles seeks to justify such alliances by saying that the Charter allows Regional Arrangements. Art. 52 allows them for "such matters relating to the maintenance of international peace and security *as are appropriate* for regional action, *provided* such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations." Dulles uses sophistry: his interpretation would nullify the powers given to the Security Council, (on which the socialist countries exercise the veto power).

Resolutions of Security Council
Did Not Authorize War in Korea.

"The U.N. Security Council's resolutions of June 25, June 27, and July 7, 1950, do not constitute authority to the Government of the United States to wage war in Korea because:

1. The decisions of he Security Council on these matters did not include the concurring vote of the Soviet Union, one of the per-

manent members of the United Nations.

2. Compliance with the recommendations and decisions of the Security Council was not obligatory on the United States since no agreement concerning armed forces available to the Security Council had been negotiated in accordance with article 43 of the United Nations Charter.

3. The adoption of the resolutions by the Security Council was induced by misrepresentation and non-disclosure on the part of the United States of facts material to the determinations of the Security Council on said matters.

4. The conflict in Korea was a domestic matter, i.e., the right of the Korean people to choose the form of government under which they should live, and it was not within the competence or jurisdiction of the United Nations or the United States of America to use force for the purpose of interference with their right to free choice."

It will be remembered that Russia was absent from the meetings of Security Council because U.S. falsely pretended the ousted dictator Chiang represented China.

Resolutions of Sen. Cain, Apr. 17, 1951.

One declared a state of war; the other ordered withdrawal from Korea. The Senator declared:

"I speak today because I am appealing as best I can to the conscience, the integrity, and the strength of the Congress. I am insisting that since the President has stated that WE ARE AT WAR IN KOREA the Congress must either further that war . . . or the Congress must declare that the war is called off. As of now, it is an undeclared war." (Caps added).

Both resolutions died in committee. Truman fraudulently told the country it was a "police action."

Policy of "the Iron Fist."

"The inherently aggressive character of the measures taken and to be taken to implement the force policy has been disclosed in the release of the directive given by President Truman to his Secretary of State, James F. Byrnes, Jan. 5, 1946 viz.—

(a) Facing Russia with 'an iron fist';

(b) . . . *we should* rehabilitate China and *create* a strong central government there.

(c) We should do the same in Korea.'

"The (Nuremberg) Tribunal (the Member for the United States of America, Mr. Francis Biddle participating), in its Judgment interpreted the General Treaty for the Renunciation of War, of August 27, 1928, more generally known as the Pact of Paris or the Kellogg-Briand Pact, binding the nations as follows:

"The question is, what was the legal effect of this pact? The nations who signed the pact or adhered to it unconditionally condemned recourse to war for the future as an instrument of policy,

and expressly renounced it . . . In the opinion of the Tribunal, the solemn renunciation of war as an instrument of national policy necessarily involves the proposition that such a war is illegal in international law; and that those who plan and wage such a war, with its inevitable and terrible consequences, are committing a crime in so doing. War for the solution of international controversies undertaken as an instrument of national policy certainly includes a war of aggression, and such a war is therefore outlawed by the pact."

—The U. S. of Am. v. Hermann Wilhelm Goering.

Inciting to Revolt.

Chief Justice Taney, speaking for the Supreme Court, declared:

" . . . Every citizen is . . . personally bound by . . . (any) treaties into which the (representatives) may enter . . . And when that authority has plighted its faith to another nation that there be peace and friendship beween the citizens of the two countries, every citizen of the United States is equally and personally pledged . . . And he can do no act, nor enter into any agreement to promote or encourage revolt or hostilities against the territories of a country with which our government is pledged by treaty to be at peace . . .

Suppressing Internal Communism.

Within a year after Truman gave Byrnes the aggressive instructions quoted above he "made an application of the policy of using the great power of the United States to make war . . . by announcing in March, 1947, in connection with the intervention in the internal affairs of Greece and Turkey, two formal commitments: First, to go to the assistance of any nation or any people threatened from *within*, or without, by communism; and secondly, the promise to use armed force if necessary, to carry the first commitment into effect.

"In the following year the further implementation of the force policy resulted in the organization of the North Atlantic Treaty, a military pact . . .

"Although the North Atlantic treaty was phrased in language indicating a purely defensive intent, the accompanying official explanations of the purpose of the pact made it clear that the concept of defense which underlay the treaty was that of the prevention of attack upon any of the treaty members by threatening retaliation with 'overwhelming force.' Therefore, the object of the pact was the use of the threat of force in a manner inconsistent with the purposes of the United Nations, and the organization of the pact by the United States was an act which plainly violated Art. 2, Sec. 4, of the United Nations Charter, as well as the Treaty for the Renunciation of War and the Atlantic Charter. The offensive nature of the pact was not mitigated by the statement of the foreign ministers of the Atlantic Pact Powers, April 2, 1949, that

'the pact is not directed against any nation or group of nations but only against armed aggression', because the term 'aggression' has never been defined, *and the actions of the members involving the use of force were not intended to be attained through the United Nations,* which, by Art. I of the Charter, was to be the center for harmonizing the actions of nations for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace.

"At the time of the signing of this NATO pact, President Truman publicly declared that once before he gave an order to drop atom bombs, and would not hesitate to do so again 'if it was to be made for the welfare of the United States and the democracies of the world are at stake.' There being no authority or law to control the actions of the President, his statement amounted to a threat of the lawless use of force, contrary to the provisions of the international treaties, agreements and assurances mentioned, by which the United States was bound to settle all international controversies or disputes to which it was a party, by peaceful means only."

Attorney Farmer Visits President Truman.
(Answering Complaint of USA v. Farmer)

"Defendant avers that President Truman intentionally and deliberately, by his decisions and orders made and put into effect before there could be any common agreement among the nations at the end of World War II upon the basis for world order under law to carry out the Yalta pledge, set the United States on the course of a desperate arms race with Russia, which he well knew might end in an irretrievable disaster. Defendant makes this allegation on the basis of his own knowledge. On October 11, 1945, he talked with President Truman in his office in the White House about the matter and pleaded with him not to start on arms race, but to call a world convention to set up a government for world affairs ,with adequate powers to make, interpret and enforce world law prohibiting the manufacture of atom bombs and other weapons of mass destruction and to put into effect the other measures necessary for disarmament of national governments. The President laughed at this proposal and unhesitatingly admitted that the United States Government had already started an arms race with Russia, adding that he didn't think Russia could ever make an atom bomb and that he was confident the United States could stay ahead in the race.

"Defendant says that this policy decision made by President Truman violated the traditional policy of the United States, and the attempt to execute it has led the President and the Congress to the adoption of measures which overpass the limits of the legislative and executive powers vested in the government from a government of *laws* to one of *men.*

Blair House, and War in Korea.

Constitutional Violation by the Initiation of War Without Legislative Action.

"It is necessary to be clear about the facts as to how President Truman and his little coterie of civil and military advisers, meeting in the nighttime at the two Blair House meetings, June 25th and 26th, 1950, made decisions resulting in the employment of the armed forces in the Korean war. A detailed description of what occurred at these meetings was given by Louis Johnson, then Secretary of Defense, (and atty. for the China Lobby—LH) in his testimony during the MacArthur removal hearings. Mr. Johnson told about the dinner at the Blair House on Sunday night, the 25th of June. During dessert the Secretary of State again brought up the Korean question. Mr. Johnson wanted to talk about Formosa. The President indicated they would take up Formosa later. Beginning at this point Mr. Johnson's testimony was:

"When the President took over the meeting, Secretary Acheson stated the picture as he saw it on Korea. The President then turned to me and asked the views of defense.

"I stated that before I replied, since the Joint Chiefs had no recommendations to make, I should like to call on each of the members of the Joint Chiefs and the Chairman and each of the Secretaries.

"That was done. A major portion of the evening was taken in the individual, unrehearsed, and unprepared and uncoordinated statements of the several Chiefs and the Secretaries, the President asking a number of questions that showed that he had a great knowledge of where our troops were and the military situation.

"The President indicated we would adjourn until tomorrow and I said, 'There are two things I haven't discussed with the Secretaries and the Chiefs: I should like to do so and will do unless you order me not to. The first is that General Bradley and I just a few days ago ha dseen the fleet in the Philippines. I should like now to start the fleet moving, whether they stop at Japan or not, moving to that part of the world. It is a several days' trip.'

"The President said, That is a good idea, do it.' I turned to Admiral Sharman and said, 'If you will excuse yourself, you get it started right away.'

"I said, 'Secondly, there are these little islands'—and I hope the censor will strike this out—'there are those little islands back of Formosa owned by us.

"Someone in the meeting disagreed with me. I said, without arguing it, 'There are these little islands back of Formosa, owned by us, on one of which the jets can land. Regardless of whatever may be the decisions on tomorrow, Mr. President, I should like, with your permission, to order the jets to that part of the world moved in on one of those islands that will land them.'

"The President thought that was a good idea, not prejudging the question, and I asked General Vandenberg to excuse him-

self, and get that started since it was 10 o'clock in the morning, comparatively over there. That was it.

"We then adjourned, without any other decisions having been made."

Meeting on June 26, 1950

"There were these discussions the next day. We met on Monday night at the Blair House. At the beginning of the meeting the Secretary of State moved, reading from a prepared statement, that we send the Navy and the Air Force in, as you know . . . Reading from a prepared paper, the Secretary of State moved, in the sense of suggesting to the President, that we use the Navy and the Air Force, as you gentlemen know from the release next day.

"The military neither recommended it nor opposed it. We had on the previous evening pointed out the difficulties and the limitations, and there was further discussion of the difficulties and limitations on this Monday night."

Senator Hickenlooper: May I ask, that was the Navy and Air Force with regard to Formosa?

Mr. Johnson: No, Korea.

Chairman Russell: He is speaking about the use of the Air and Navy in Korea.

Senator Hickenlooper: Thank you.

Chairman Russell: As I understood it.

Mr. Johnson: The president then made the decision to go into Korea with the two. I thought the decision was right then and I think so now.

Someone with the Secretary of State presented a paper for release. It was not satisfactory to the military, and anyway the President wanted to talk to the Congress. So, the staffs of the two departments worked until about 2 o'clock in the morning preparing a statement for the President to be shown and discussed with Members of Congress and for the press.

In the early morning . . . I called the President, and about 8 o'clock General Bradley and myself . . . saw the President to discuss this statement, and found that the President had been up a long time . . .

Mr. Johnson further testified on June 14, 1951:

Events Leading Up to Decision to Send Ground Forces

Chairman Russell: Now will you give us your recollection as to the events leading up to the decision to send ground forces into Korea?

Mr. Johnson: On Tuesday morning we met with a number of you gentlemen, representatives of the Congress, the House; announcement was made of the position of the United States in relation to the Navy and the Air Force. It was pursuant to the decision on Monday night, not Sunday night.

Just before the conference broke up I said to the conference—

San. Wiley: A little louder, please.

Mr. Johnson: I said at the conference that unless the President objected I was putting General MacArthur in charge.

Prior to that time, because of the *secrecy* of the situation, General MacArthur had not been communicated with officially, not, so far as I know, personally, nor had his opinion been asked.

I asked Secretary Pace and General Collins and General Bradley if he was to go along to get General MacArthur on communications and advise him as promptly as possible of the decision that the responsibility was his, and to give us his recommendations.

I can still see the report of that conversation. Gen. MacArthur accepted the authority, had no recommendations.

Two or three days later there came the recommendation that all would be abortive, that nothing would be accomplished unless ground troops were used.

These are recorded messages which I hope you have seen. I do not have copies of them or any like documents. (They are not now in Washington, D.C.—L.H.)

Mr. Johnson: On the basis of that, within 24 hours, and that same week, *the decision was made* to use the divisions in Japan and to implement; and again you gentlemen came down and met in the cabinet room with the President, Secretary of State and myself, and you were *told* of the situation. (Emphasis added).

Chairman Russell: When you say 'you gentlemen', Mr. Secretary, you do not mean these entire committees, I am sure, because—

Mr. Johnson: No. There have been some changes in the committees, but these who were chairmen of these committees, authorities, or what not. I have forgotten how the list was made up. I helped to make it up. But there were quite a group of Congressmen and Senators who held key positions in both parties on the Hill who were invited there.

Hearings, p. 2574.

In such manner the United States armed forces were engaged in war in Korea lasting three years!

"It was war in the material sense. As complainant charged in his pleadings, it was war through *arbitrary* and *lawless* acts of President Truman. His orders—whether verbal or written—were *usurpations.* No discretion was vested in the Executive of the Constitution to make such decisions or to take such actions. Statutes passed by Congress prohibited from committing such acts or assuming such authority (Amendments to Complaint filed August 5, 1953).

"Furthermore, the acts of the President amounted to the initiation of war for aggression and in violation of international treaties, agreements, or assurances. Therefore, President Truman committed an international crime—"the supreme international

crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole." *United States v. Goering et al.*"

Curious Behaviour:

At the Blair House gathering on the evening of Sunday, June 25, 1950, although Dulles had given a statement—not then confirmed, or verified by witnesses afterwards—claiming that "hordes" or North Koreans had started the conflict by pouring over the border and attacking south of the parallel, and the fighting was then going on, still, the Blair House conferees were not excited. They *sat down to dinner;* and not until that important matter was disposed of down to the dessert, did they begin to discuss Korea. Johnson (attorney for the China Lobby) wanted, in fact, to talk first about Formosa!

Without taking any action as to armed intervention—*and without the slightest claim by Johnson, that at the time of this meeting or the subsequent ones, the Security Council had given any instructions to proceed with armed action against North Korea*—Truman was ready to adjourn. But Johnson intervened, and got orders started to the Navy and the Air Force.

On the morning of Tuesday, June 27, a number of members of the Senate and House were called in and *told what had been decided.* A statement was given to the press. At *six o'clock* that same day, the rump Security Council met—being illegally constituted without representatives of the great countries of China and Russia—and voted for war against North Korea. This body had before it no trustworthy statement of what had taken place in Korea—all it knew was that "THE REPUBLIC OF SOUTH KOREA STATES." It was not until several years afterwards, and after horrible slaughter and devastation of the little land of Korea, that both Syngman Rhee and his minister of state in 1950, Ben C. Limb, *acknowledged that the South had started the war.*

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